

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re ELAN CORPORATION SECURITIES	:	Master File No. 1:08-cv-08761-AKH
LITIGATION	:	
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ALL ACTIONS.	:	
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NOTICE OF PLAINTIFFS' MOTION TO STRIKE

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TO PLAINTIFFS' MOTION TO STRIKE**

- Notice of Plaintiffs' Motion to Strike
- Plaintiffs' Memorandum of Law in Support of Motion to Strike
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PLEASE TAKE NOTICE that Lead Plaintiff The Council of the Borough of South Tyneside Acting in Its Capacity as the Administering Authority of the Tyne & Wear Pension Fund and Plaintiff Plumbers & Steamfitters Local 773 Pension Fund (together, “Plaintiffs”), upon the accompanying Memorandum of Law and Compendium of Unreported Authorities in Support of Their Motion to Strike, and in Opposition to Defendants’ Motion to Dismiss, move this Court for an order, pursuant to Federal Rule of Civil Procedure 7(b), striking:

1. The following exhibits to the Declaration of Jaculin Aaron, dated December 11, 2009, submitted by defendants Elan Corporation, plc, G. Kelly Martin, and Lars Ekman (together, “Defendants”) in support of their Motion to Dismiss the Consolidated Complaint, also dated December 11, 2009:

EXHIBIT	DESCRIPTION OF DOCUMENT
A	March 9, 2006 Cowen and Company conference call transcript entitled “ELN – Elan Corporation, PLC at Cowen & Co. 26th Annual Health Care Conference”
E	April 24, 2007 Elan Earnings Call Transcript
I	October 25, 2007 Elan Earnings Call Transcript
K	April 24, 2008 Elan Earnings Call Transcript
Z	July 30, 2008 Lehman Brothers analyst report entitled “Bap P2 Detail Supports Top line”
AA	July 30, 2008 Leerink Swann analyst report entitled “Elan Corporation, After selling for the wrong reasons, now Is the time to buy for the right ones”
BB	July 30, 2008 Goldman Sachs analyst report entitled “Phase II Bapineuzumab data supports phase III early start”

EXHIBIT	DESCRIPTION OF DOCUMENT
HH	November 11, 2008 Deutsche Bank conference call transcript entitled “ELN – Elan Corporation, plc at 2008 DB-BIOTECH BOSTON CONFAB”
II	January 26, 2009 Pfizer and Wyeth press release entitled “Pfizer to Acquire Wyeth, Creating the World’s Premier Biopharmaceutical Company”
JJ	September 17, 2009 Johnson & Johnson and Elan press release entitled “Johnson & Johnson And Elan Corporation Plc Announce Closing of Transaction Related to Alzheimer’s Immunotherapy Program And Equity Investment”
MM	<p>The following scientific publications:</p> <ul style="list-style-type: none"> • RG Stern, RC Mohs, M Davidson, J Schmeidler, J Silverman, E Kramer-Ginsberg, T Searcey, L Bierer, and KL Davis, <i>A longitudinal study of Alzheimer’s disease: measurement, rate, and predictors of cognitive deterioration</i>, Am. J. Psychiatry 1994, 151: 390-396; • <i>Rituximab (Anti-CD20 Monoclonal Antibody) for the Treatment of Patients With Relapsing or Refractory Aggressive Lymphoma: A Multicenter Phase II Study</i>, Blood. Vol. 92, No. 6 (September 15) 1998: pp 1927-1932; • Winkinson, et al., <i>Galantamine: a randomized, double-blind, dose comparison in patients with Alzheimer’s disease</i>, International Journal of Geriatric Psychiatry 2001, 852-857; • Fairrooz Kabbinavar, et al., <i>Phase II, Randomized Trial Comparing Bevacizumab Plus Fluorouracil (FU)/Leucovorin (LV) With FU/LV Alone in Patients With Metastatic Colorectal Cancer</i>, J. Clin. Oncol. 21:60-65 (2003); and • Schneider, L. & Sano, M., <i>Current Alzheimer’s disease clinical trials: Methods and placebo outcomes</i>, Alzheimer’s & Dementia 2009, Vol. 5, Issue 5, 388-397.

2. The following citations to websites in the Memorandum of Law in Support of the Elan Defendants' Motion to Dismiss the Consolidated Complaint, dated December 11, 2009:

DEF. MOL PAGE NO.	WEBSITE CITATION
7 n.1	http://www.alz.org/national/documents/topicsheet_alzdisease.pdf ; http://www.alz.org/national/documents/brochure_disgnosistreatment.pdf ; http://www.alz.org/national/documents/topicsheet_2009_facts_figures.pdf
8 n.3	http://www.hbo.com/alzheimers/supplementary-inflammation-the-immune-system-and-alzheimers.html
10 n.5	http://www.alz.org/alzheimers_disease_steps_to_disgnosis.asp
16 n.8	http://www.videnscenterfordemens.dk/siteDocs/objekter/130.pdf

3. The motion has no affidavits or exhibits.

DATED: February 16, 2010

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Lead Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on February 16, 2010, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such public filing to all counsel registered to receive such notice.

/s/ Samuel H. Rudman

SAMUEL H. RUDMAN